IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5931 OF 2006

Shri Ramdas Narayan Davate ..Petitioner.
Vs.
The State of Maharashtra & Ors. ..Respondents.

Mr.M.S.Karnik, adv. for the Petitioner.

CORAM : J.H.BHATIA, J.
DATE : JULY 27, 2007.

P.C.:

1. Heard Mr.Karnik the learned counsel for the petitioner.

2. Admittedly the petitioner had made an encroachment and he sought regularisation of the same. The Collector rejected that application. Therefore, the petitioner filed an appeal no.59 of 2005 before the Divisional Commissioner, Nashik Division. After hearing the parties, the learned Addl. Commissioner also dismissed the appeal. He noted that Collector had concluded that as per the Government Resolution dated 28-9-1999 encroachment within the boundary limit of the building line can not be regularised as per the rules because the encroachment was adjoining the State Highway. From this it is clear that encroachment has been made by the petitioner on the land adjoining the State Highway No.30 and it is within the building line.

Since the Government Resolution and the rules prohibit regularisation of such encroachment, there is no substance in the petition.

3. Petition stands dismissed

[J.H.BHATIA, J.]